

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 9508

PERMIT 5384

LICENSE 5835

ORDER ALLOWING CHANGE IN PLACE OF USE

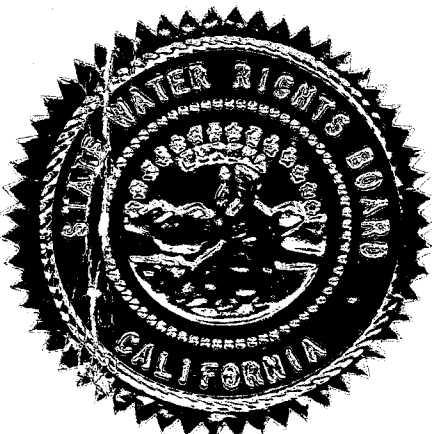
WHEREAS license was issued to U. S.- Eldorado National Forest and was recorded with the County Recorder of El Dorado County on October 26, 1959, at page 76, Volume 487 of the official records, and

WHEREAS licensee has established to the satisfaction of the State Water Rights Board that the change in place of use under Application 9508, Permit 5384, License 5835, for which petition was submitted on October 18, 1960, will not operate to the injury of any other legal user of water and the Board so finds;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said Application 9508, Permit 5384, License 5835, to a place of use described as follows, to wit:

LOTS 2, 4, 11, 31, 32, 33, 34, 35, 38, 39, 43, 45, 47, 48, 49, 50, 51, 52, AND 58 OF ECHO ROAD SPECIAL USE TRACT OF ELDORADO NATIONAL FOREST BEING WITHIN LOTS 2 AND 3 OF SECTION 6, T11N, R19E, MDB&M.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 27th day of December, 1960



*L. K. Hill*  
L. K. Hill  
Executive Officer



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 9508

PERMIT 5384

LICENSE 5835

THIS IS TO CERTIFY, That

United States-Eldorado National Forest  
Placerville  
California

Notice of Change (Over)

has made proof as of June 24, 1959  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
Philliber Spring in El Dorado County

tributary to unnamed stream thence Echo Lake

for the purpose of domestic and fire protection uses  
under Permit 5384 of the State Water Rights Board and that said right to the use of said water has been  
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the  
terms of the said permit; that the priority of the right herein confirmed dates from February 17, 1939  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed three thousand five hundred  
(3500) gallons per day for domestic purposes or eight thousand six hundred forty  
(8640) gallons per day total for domestic and fire protection purposes to be diverted  
from about May 1 to about November 15 of each year, provided however that nothing  
herein contained shall be construed as confirming in licensee any right, which shall  
be good as against a subsequent appropriator, to an amount for fire protection purposes  
in excess of what is reasonably necessary to maintain an adequate reserve in storage  
for fire protection except when there exists an actual need thereof for fire fighting  
use.

The point of diversion of such water is located:

North eighteen degrees west (N18°W) seven hundred ten (710) feet from E $\frac{1}{4}$  corner of  
Section 1, T11N, R17E, MDB&M, being within Lot 3 of said Section 1.

A description of the lands or the place where such water is put to beneficial use is as follows:

Lots 2, 4, 31, 32, 33, 34, 35, 38, 39, 43, 45, 47, 48, 49, 50, 51, 52, and 58 of Echo Road Special  
Use Tract of Eldorado National Forest being within Lots 2 and 3 of Section 6, T11N,  
R19E, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the  
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of  
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

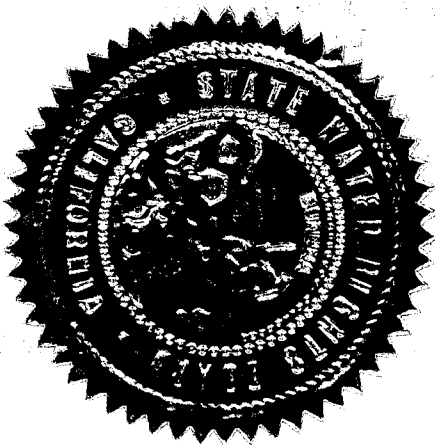
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: OCT 22 '59



*L. K. Hill*  
L. K. Hill  
Executive Officer

*2/11/75 Name Changed to U.S. Lake  
Basin Management Unit*

LICENSE 5835

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO United States-Eldorado  
National Forest

DATED OCT 22 '59